

HOUSE BILL 7

Introduced by Gilbert

6/16	Introduced
6/16	Fiscal Note Requested
6/19	Referred to Education & Cultural Resources
6/20	Hearing
6/21	Fiscal Note Received
6/22	Fiscal Note Printed Died in Committee

1 HOUSE BILL NO. 7
2 INTRODUCED BY GILBERT

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO LIMIT TO 180 THE
5 NUMBER OF PUPIL-INSTRUCTION DAYS AND TO 7 THE NUMBER OF
6 PUPIL-INSTRUCTION-RELATED DAYS FOR WHICH PUBLIC SCHOOL
7 FOUNDATION PROGRAM SUPPORT MAY BE RECEIVED; AMENDING SECTION
8 20-9-311, MCA; AND PROVIDING AN EFFECTIVE DATE."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 **Section 1.** Section 20-9-311, MCA, is amended to read:

12 "20-9-311. Calculation of average number belonging
13 (ANB). (1) Average number belonging must be computed by
14 determining the total of the aggregate days of attendance by
15 regularly enrolled, full-time pupils during the second
16 semester of the preceding school fiscal year and the first
17 semester of the current school fiscal year plus the
18 aggregate days of absence by regularly enrolled, full-time
19 pupils during the second semester of the preceding school
20 fiscal year and the first semester of the current school
21 fiscal year and by dividing the total by 180. However, when
22 a school district has approval to operate less than 180
23 school days under 20-9-804, the total must be calculated in
24 accordance with the provisions of 20-9-805. For the purpose
25 of calculating ANB under this section, the days of

1 attendance for a regularly enrolled pupil may not exceed 180
2 pupil-instruction days and 7 pupil-instruction-related days.

3 Attendance for a part of a morning session or a part of an
4 afternoon session by a pupil must be counted as attendance
5 for one-half day. In calculating the ANB for pupils enrolled
6 in a program established under ~~20-7-117-prior-to-January-17~~
7 ~~1974, or pursuant to~~ 20-7-117(1), attendance at or absence
8 from a regular session of the program for at least 2 hours
9 of either a morning or an afternoon session will be counted
10 as one-half day attended or absent, as the case may be. If a
11 variance has been granted as provided in 20-1-302, ANB will
12 be computed in a manner prescribed by the superintendent of
13 public instruction, but in no case may the ANB exceed
14 one-half for each kindergarten pupil. When any pupil has
15 been absent, with or without excuse, for more than 10
16 consecutive school days, including pupil-instruction-related
17 days, his absence after the 10th day of absence may not be
18 included in the aggregate days of absence and his enrollment
19 in the school may not be considered in the calculation of
20 the average number belonging until he resumes attendance at
21 school.

22 (2) If a student spends less than half his time in the
23 regular program and the balance of his time in school in the
24 special education program, he is considered a full-time
25 special pupil but is not considered regularly enrolled for

1 ANB purposes. If a student spends half or more of his time
2 in school in the regular program and the balance of his time
3 in the special education program, he is considered regularly
4 enrolled for ANB purposes.

5 (3) The average number belonging of the regularly
6 enrolled, full-time pupils for the public schools of a
7 district must be based on the aggregate of all the regularly
8 enrolled, full-time pupils attending the schools of the
9 district, except that when:

10 (a) a school of the district is located more than 3
11 miles beyond the incorporated limits of a city or town or
12 from another school of the district, all of the regularly
13 enrolled, full-time pupils of the school must be calculated
14 individually for ANB purposes;

15 (b) a junior high school has been approved and
16 accredited as a junior high school, all of the regularly
17 enrolled, full-time pupils of the junior high school must be
18 considered as high school district pupils for ANB purposes;

19 (c) a middle school has been approved and accredited,
20 all pupils below the 7th grade must be considered elementary
21 school pupils for ANB purposes and the 7th and 8th grade
22 pupils must be considered high school pupils for ANB
23 purposes; or

24 (d) a school has not been accredited by the board of
25 public education, the regularly enrolled, full-time pupils

1 attending the nonaccredited school are not eligible for
2 average number belonging calculation purposes, nor will an
3 average number belonging for the nonaccredited school be
4 used in determining the foundation program for the district.

5 (4) When 11th or 12th grade students are regularly
6 enrolled on a part-time basis, high schools may calculate
7 the ANB to include an "equivalent ANB" for those students.
8 The method for calculating an equivalent ANB must be
9 determined in a manner prescribed by the superintendent of
10 public instruction."

11 NEW SECTION. **Section 2.** Effective date. [This act] is
12 effective July 1, 1989, and if signed by the governor or
13 becomes law under 5-4-307 after July 1, 1989, applies
14 retroactively, within the meaning of 1-2-109, to July 1,
15 1989.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB7, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

A bill for an act entitled: "An act to limit to 180 the number of pupil-instruction days and to 7 the number of pupil-instruction-related days for which public school foundation program support may be received; amending Section 20-9-311, MCA; and providing an effective date."

ASSUMPTIONS:

1. The current foundation program schedules will continue into the 1990-91 biennium.
2. Enrollment remains constant at the FY89 level.

FISCAL IMPACT:

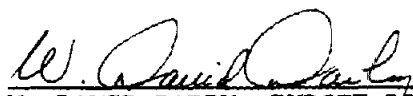
	<u>FY90</u>			<u>FY91</u>		
	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>
Foundation Program	\$278,355,000	\$277,253,000	(\$1,102,000)	\$276,678,000	\$275,576,000	(\$1,102,000)

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

N/A

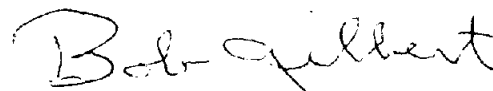
TECHNICAL NOTES:

N/A



W. DAVID DARBY, BUDGET DIRECTOR
OFFICE OF BUDGET AND PROGRAM PLANNING

DATE 6/21/89



BOB GILBERT, PRIMARY SPONSOR

DATE 6-21-89

Fiscal Note for HB7, as introduced

HB7